SLIDE 2

First of all, a brief recall of what is Natura 2000, its functioning and the share of responsibility


The NATURA 2000 network is composed of sites designated by Member States in compliance with these two Directives and submissive to a precise selection process.

- **The Bird Directive’s 1979** aim at the conservation of wild birds, based on designation of **Special Protection Areas (SPA)**

Identifying and delimitating these SPAs ought to be based on scientific criteria. Among them is to be found “1% of the population of the vulnerable listed species”, “humid areas of international importance for waterfowls and migratory birds etc.

The Member States have large latitude in determining the appropriate criteria, but have to use them as their general methodological tool for designation, under the reserve that the “most appropriate sites” in terms of numbers and surface are really designated.

The European Commission, taking into account the elements transmitted by the Member States, determines if the designated sites are sufficient for the constitution of a coherent network for protection of vulnerable and migratory species.

- **The Habitat Directive of 1992** aims at the conservation of natural habitats and wild fauna and flora. It foresees the designation of Special Areas of Conservation (SAC), in a coherent network and under an impact assessment procedure.

The SAC are selected following three phases:
SLIDE 3

1. The Member States have the responsibility of the designation of sites to be included in Natura 2000.
   a. Member States undertake a complete evaluation of each type of habitat and of species present on their territory. The detail of designations is generally delegated to the national agencies or to regional agencies in the case of federal states.
   b. The choice of sites is scientifically based under the criteria of Annexe III of the Directive (representativeness, ecological quality of each habitat, surface, amount and density of the species population, degree of isolation of the site compared to the natural range of the species, quality of sites).
   c. After global evaluation of sites for each species, the necessary information is transmitted to the European Commission.

SLIDE 4

2. Taking into account the national lists proposed by Member States, the Commission, in accordance with them, decides on the list of Sites of Community Importance (SCI).
   a. The analysis of the national proposals is made during biogeographical seminars organized by the European Commission with the support of the European Environmental Agency (EEA – Topic Centre)
   b. The aim of these expert seminars is to validate or amend the national lists proposed (sufficient number of sites, quality of proposed sites…).
   c. In this seminars are represented Member States, EC, EEA (Topic Centre), independent experts named by the EC; observers representing the interests of stakeholders, among which the owners and users and also green NGOs.
   d. The aim is to establish a list of Sites of Community Importance (SCI) for each of the homogenous zones in terms of biodiversity in the different Member States.

3. From the adoption of the lists of Community Importance (SCI), the Member States have the responsibility to designate these sites as Special Areas of Conservation (SAC) as soon as possible and within a delay of six years, priority being given to the most endangered sites or the most important from a biodiversity conservation viewpoint. During this period of time, the Member States have to maintain sites in a “favourable conservation status” (FCS), via the elaboration of management or restoration measures.
SLIDE 5

This is to underline that the process is very technical

The transparency of the procedure is to be underlined and applauded, as the opportunity given by the Commission to the civil society to participate to the process.

Nevertheless ELO believes that there is a problem in the MS procedure leading to a very uncomfortorable position for users. There is little chance for users to influence the NATIONAL process. The only control is an “a posteriori” control during the biodiversity seminar

What would be the ELO advice for the Continental Seminar due in 2006? It would be a constant contact with your Ministry to get clear information, to exchange viewpoints on the elaboration of the national list. ELO already invited the ministry to contact national organization either directly or through the Brussels office.

SLIDE 6

I will not at this stage give you the complete list of criteria used for the elaboration of the Community list by the ETC or the precise details of the criteria used for the analysis of the national lists during the seminar.

I’ll just insist on key elements such as those based on the network coherence and conservation elements.

The criteria used during the seminar are derived from the Directives (Annexe III) and the Habitat Committee decision. These criteria are focusing on conservation elements and based on the number of sites, the quality of the proposed site, the good distribution of the sites.

SLIDE 7

Which is the level of preparation of the MS?

No specific delay has been granted to new MS during the adhesion procedure. On 1st of May, the “acquis communautaire” rule applies and the directives have to be transposed into national legislation. This means an enormous task for new member states.

Concretely, in the N2K process this means that civil servant have been trained on these specific issues, inventories/ researches have been made. For some species/habitat, data are still lacking due to the ecological specificities of the species

For some big MS the task is even harder, depending on the size of the country and its diversity

If there is a lack of preparation, the seminar conclusions for the MS will likely be a majority of negative remarks such as lack of designation. This means for the MS the revise its proposal following the comments. The range of comments is:
- **SUF = sufficient = No further sites needed**
- **IN MIN = insufficient minor = More site required but habitat is present on sites already proposed for other habitat/species**
- **IN MOD = insufficient moderate = one or a few additional sites (or maybe extension to sites) required**
- **IN MAJ = Insufficient major = No sites proposed at present and a significant effort required**
- **Sci Res = Scientific reserve = A definite conclusion is not possible: need to investigate/clarify a scientific issue – interpretation of habitat, controversial presence of species, etc**
- **G = geographical = used to qualify an IN MOD. Indicates that the insufficiency is mainly linked to the bad geographical coverage of proposed sites – eg. More sites needed in north east**
- **CD = correction of data = data needs to be corrected/completed/deleted**
- **? = no conclusion = no conclusion for the time being: to be discussed at the Seminar.**

**SLIDE 8**

What is the EC position?

EC is awaiting good quality proposals from the MS in terms of quantity and quality based on sound scientific arguments.

EC is following the good governance principles based on participatory approach.

Therefore the seminar is composed of a balanced expert group comprising MS, independent experts, green NGOs and users

The seminar proceeds to a scientific analysis of the MS proposals. If needed EC arbitrates during the seminar.

**SLIDE 9**

What is the level of NGOs preparation?

NGOs are particularly well prepared through early concrete contacts with MS ministries & ETC.
They have undergone their own scientific researches since several years (under various research funds & own resources)

They have clear and precise requests based on local knowledge and high quality scientific arguments

Therefore they often achieve their goals even on non priority species/habitat. Their aim is of course to have more sites designated.
**SLIDE 10**

Why a Users participation to the process?  
Based on previous experiences, ELO believes that it is fundamental to be part of the discussions  
This is crucial to show the importance of designation & conservation issues for users  
This enables contacts with experts from ministries + universities + NGOs (users ≠ black sheep!)  

Clearly the process is not tailored for users, but there are possibilities of negotiation if counter arguments from national organizations are sent in due time (≠ research centre + short delay …)  

This is important to make decision makers understand that at the end of the day on Phase 2, the implementation phase, users are concerned. In order for Natura 2000 to be applied on land, users will have to modify their day to day management. Therefore they have to be part of the debate at its early stage.

**SLIDE 11**

*Concluding remarks:*

Is the Biogeographical process satisfactory for Users?  

The answer is Yes IF a faithful collaboration exists between ministries/users prior to the seminar.  

Ministries + NGOs have to understand that Phase 2 (Implementation) will mainly be applied by users of land  

Therefore, this is fundamental to negotiate already during Phase 1 of designation process through information flows, contract management elaboration, and sound funding of the constraints…  

Thank you  

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Praha 21.11.2005